

# TYPE III REVIEW/OPTIONAL SEPA AND LIKELY DETERMINATION OF NON-SIGNIFICANCE

(Form DS1302B)



## NOTICE OF DEVELOPMENT REVIEW APPLICATION (Type III) AND LIKELY SEPA DNS

The Clark County Department of Community Development has received an application for development review, as described below. This application is subject to public notice and a public hearing conducted pursuant to Clark County Code (CCC) Chapter 40.500, and other applicable laws as listed below. The County, as SEPA lead agency, expects to issue a **Determination of Non-Significance (DNS)**.

The Clark County Hearings Examiner will conduct the public hearing on **December 21, 2004 (TUESDAY) at 7:00 P.M.**, at **Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680** (see attached map). Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 6pm.

**Project Name:** **BERGERON SUBDIVISION**

**Case Number:** PLD2004-00075; SEP2004-00134; WET2004-00031;  
HAB2004-00178

**Location:** Healy Road just east of SR 503

**Request:** The applicant is requesting to subdivide an approximate 15-acre parcel into 6 single-family residential lots located in the RC2.5 zone district. There are wetlands and habitat on the property.

**Applicant:** Moss and Associates  
Attn: Jennifer Berry  
717 NE 61<sup>st</sup> Street, Suite 202  
Vancouver, WA 98665  
(360) 260-9400; (360) 260-3509 FAX  
E-mail: [Jennifer@mossandassociates.net](mailto:Jennifer@mossandassociates.net)

**Contact Person:** Same as applicant

**Property Owner:** Murray Bergeron  
Bergeron Ltd. Family Partnership  
17416 NE 122<sup>nd</sup> Avenue  
Battle Ground, WA 98604

Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. However, the proposal may already include impact mitigation measures in conformance with adopted development standards and applicable laws noted below. In addition, the development review process may result in mitigation measures being incorporated or required as a condition of approval. A copy of the combined Development Review/SEPA Checklist Review Staff Report and SEPA Threshold Determination, when completed, will be available for viewing at the Customer Service Center, 1300 Franklin Street, Vancouver, and may be obtained upon request.

A SEPA threshold determination is required by state law and Clark County Code (CCC), Section 40.570.040. Based on a review of the submitted application materials, the County expects to issue a Determination of Non-Significance (DNS) for the proposal pursuant to the "optional DNS process" allowed by state law and CCC 40.570.040(D).

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**Staff Contact:**

Travis Goddard, Extension 4180

**Neighborhood Contact:**

No Mapping Indicators

**Legal Description of Property:**

(Parcel Number 274385-000; 274588-000) Southeast Quarter of Section 12, Township 5 North, Range 3 East of the Willamette Meridian; Northeast Quarter of Section 13, Township 5, Range 3 East of the Willamette Meridian

**Plan/Zone Designation:**

MH ; RC-2.5

**Approval Standards/Applicable Law:**

Clark County Code: Title 15 (Fire Prevention), Section 40.210.030 (RC Residential District), Chapter 40.350 (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.380 (Storm Water Drainage and Erosion Control), Section 40.440 (Habitat Conservation), Section 40.450 (Wetland Protection Ordinance), Sections 40.500 and 40.510 (Procedures), Section 40.540 (Land Division Ordinance), Section 40.570 (SEPA), Section 40.570 (SEPA Archaeological), Section 40.610 (Impact Fees), Title 24 (Public Health), and the Clark County Comprehensive Plan

## **Application & Fully Complete Date:**

Application Filed: 8/12/04

Fully Complete: 10/7/04

## **SEPA Options:**

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be mitigated through conditions of approval), or;
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

## **Timelines/Process:**

Decisions on Type IIT Applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information. Information regarding this application can be obtained by contacting **Travis Goddard, at (360) 397-2375, Ext. 4180**, or the Public Service Center, Development Services Division, 1300 Franklin Street, Vancouver, Washington. Office hours are from 8:00-5:00 p.m., Monday through Friday.

Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

## **Appeals:**

Appeals of the SEPA threshold determination must be made in writing and accompanied by a **\$186** appeal fee, within fourteen (14) calendar days of the issuance of the threshold determination. NOTE: This notice does NOT constitute a threshold determination. It is only the notice of a potential determination that will be made after the comment period expires.

Appeal procedures for SEPA decisions can vary according to the type of decision being reached. Please contact the Community Development Department with questions about appeals.

## **Public Comment:**

The public is encouraged to comment on this proposal. Comments received by the closing date noted below will be considered in the final SEPA threshold determination and development review staff report. This notice is intended to inform potentially

interested parties about the application and invite written comments regarding any concerns.

No additional comment period will be provided, unless probable significant environmental impacts are identified during the review process that would require additional study or special mitigation.

Anyone who submits comments to the County in response to this notice will be considered a party of record and will be mailed a copy of that staff report and determination.

Please address your comments to:

**Attn: Travis Goddard  
Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011  
Web Page at: <http://www.clark.wa.gov>**

**Or contact Travis Goddard at [travis.goddard@clark.wa.gov](mailto:travis.goddard@clark.wa.gov)**

**Date of this Notice: Thursday, October 21, 2004**

<p><b><u>Closing Date for Public Comments:</u></b> <b>November 4, 2004</b></p>
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***(This notice is being provided to agencies with jurisdiction, including the Department of Ecology, affected tribes, and local agencies whose services would be impacted by implementation of this proposal.)***

**Attachments:**

- Copy of Vicinity Map
- Copy of Proposed Preliminary Plan